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10 Attorneys for Defendant

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

**SAN JOSE DIVISION**

13 BROOKE McLAUGHLIN, )      **No. C-04-0960 RS**  
14                          Plaintiff, )  
15                          v. )      **STIPULATION TO CONTINUE ALL**  
16                          )      **DATES AND DEADLINES, AND**  
17                          )      **[PROPOSED] ORDER**  
18                          UNITED STATES OF AMERICA, )  
19                          Defendant. )      **AS MODIFIED BY THE COURT**

20 IT IS HEREBY STIPULATED AND AGREED by and between the parties, by and through their  
21 respective undersigned attorneys, as follows:

22 1. All dates and deadlines in this case, including without limitation the deadlines for completion of  
23 discovery, the deadlines for expert witness disclosure, the deadlines filing of motions and for submission  
24 of pretrial papers, and the trial date, may and should be continued as set forth below. To the extent that this  
25 would cause any court appearance to be scheduled for a date or time that the Court would not be available,  
26 the parties stipulate that the new date for the court appearance should be the following week.

27 //

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1	<b><u>Event</u></b>	<b><u>Date/Deadline</u></b>
2	Plaintiff's disclosure of experts in compliance with Rule 26(a)(2) .....	June 9, 2006
3	Defendant's disclosure of experts in compliance with Rule 26(a)(2) .....	June 23, 2006
4	Completion of all (fact and expert) discovery .....	August 4, 2006
5	Deadline for hearing any dispositive motion .....	October 4, 2006
6	Pretrial Statement Filing Deadline .....	October 16, 2006
7	Pretrial Conference .....	2:30 p.m., October 25, 2006
8	Trial .....	9:00 a.m., November 6, 2006

9 The parties jointly request this continuance due to continued difficulties encountered by the plaintiff  
 10 in arranging for the deposition of Philip Ratzsch, a witness who counsel believe currently is  
 11 incarcerated and has been advised by counsel not to testify until certain conditions are satisfied. The  
 12 parties may need to negotiate some form of immunity relating to Ratzsch in order to obtain his  
 13 testimony.

14 In addition, both parties have recently lost counsel. Brett Burlison, who previously represented  
 15 plaintiff, has left the Cartwright Law Firm and Gary Loftis has recently joined Mr. Cartwright as  
 16 counsel for plaintiff. Mark St. Angelo, who previously represented defendant, has left the U.S.  
 17 Attorney's Office and Claire Cormier is taking over the case on behalf of the defendant.

18 With the exception of the previous order of bifurcation and the changes in dates set forth above, the  
 19 parties are not requesting that the Court otherwise modify or change the Court's July 14, 2004 Case  
 20 Management Scheduling Order.

21  
 22 Respectfully submitted,

23 THE CARTWRIGHT LAW FIRM, INC.

KEVIN V. RYAN  
 United States Attorney

24 /s/ Robert E. Cartwright, Jr.  
 25 Robert E. Cartwright, Jr.

26 Dated: February 8, 2006

27 /s/ Claire T. Cormier \_\_\_\_\_  
 28 Claire T. Cormier  
 Assistant United States Attorney

Dated: February 9, 2006

## ORDER

PURSUANT TO STIPULATION AND GOOD CAUSE APPEARING, IT IS SO ORDERED AS MODIFIED.

Date: 2/9/06

  
Hon. RICHARD SEEBORG  
United States Magistrate Judge